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| <b>UTILITY PATENT APPLICATION TRANSMITTAL</b><br>(New Nonprovisional Applications Under 37 CFR § 1.53(b)) | Attorney Docket No.<br><b>50180</b> |
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**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Colin T. Metcalfe, entitled Method and Apparatus for Controlling Pests, for a(n):

( ) Original Patent Application.

(X) Continuing Application (prior application not abandoned):

(X) Continuation ( ) Continuation-in-part (CIP)

( ) Divisional ( ) Request for continued examination  
of prior application No: 09/736,023 Filed on: 2/28/01.

(x ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

(X) Specification; 19 Total Pages.

(X) Drawing(s); 3 Total Sheets.

( ) Oath or Declaration:

( ) A Newly Executed Combined Declaration and Power of Attorney:

( ) Signed. ( ) Unsigned. ( ) Partially Signed.

(x ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

( ) Power of Attorney.

(X) Return Receipt Postcard.

( ) Associate Power of Attorney.

(x ) A Check in the amount of \$ 805.00 for the Filing Fee.

(x ) Preliminary Amendment.

( ) Information Disclosure Statement and Form PTO-1449.

(x ) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.

( ) A Certified Copy of Priority Documents (if foreign priority is claimed).

(X) Applicant claims small entity status.

( ) Other: \_\_\_\_\_

| CLAIMS AS FILED                           |           |           |          |           |
|---|-----------|-----------|----------|-----------|
| FOR                                       | NO. FILED | NO. EXTRA | RATE     | FEE       |
| Total Claims                              | 41        | 21        | \$ 9.00  | \$ 189.00 |
| Independent Claims                        | 5         | 2         | \$ 43.00 | \$ 86.00  |
| Multiple Dependent Claims (if applicable) |           |           |          | \$ 145.00 |
| Assignment Recording Fee                  |           |           |          | \$0.00    |
| Basic Filing Fee                          |           |           |          | \$ 385.00 |
| Total Filing Fee                          |           |           |          | \$ 805.00 |

Charge \$ any underpayment to Deposit Account 50-1753 (50180) pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,

By: Sue Z. Shaper  
Sue Z. Shaper, Attorney of Record, Reg. No. 31663

Date: 4/8/04

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I hereby certify this correspondence is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: Sue Z. Shaper

Typed Name: Sue Z. Shaper

Express Mail Label No.: EL 977589849

Date of Deposit: 4/8/04